

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

CROSSFIT, INC., a Delaware
corporation,

Plaintiff,

v.

NATIONAL STRENGTH AND
CONDITIONING ASSOCIATION, a
Colorado corporation,

Defendant.

Case No.: 14-CV-1191 JLS (KSC)

**ORDER ON THE PARTIES’
JANUARY 14, 2020 JOINT STATUS
REPORT**

(ECF No. 398)

Presently before the Court is Plaintiff CrossFit, Inc. (“CrossFit”) and Defendant National Strength and Conditioning Association’s (“NSCA”) Joint Status Report (“Joint Rep.,” ECF No. 398), filed pursuant to the Court’s December 4, 2019 Order Granting in Part and Denying in Part Plaintiff CrossFit, Inc.’s Renewed Motion for Terminating Sanctions, ECF No. 394. Following multiple meet-and-confer efforts, the Parties report that they have been unable to agree either to the terms for the NSCA’s payment of the \$3,997,868.66 in monetary sanctions or to the amount of damages to which CrossFit is entitled. *See generally* Joint Rep.

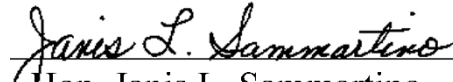
Accordingly, the Court **ORDERS** the NSCA to pay \$1.5 million of the \$3,997,868.66 in monetary sanctions on or before January 31, 2020. The Court further

1 **ORDERS** the Parties to meet and confer regarding the security interest and payment plan
2 issues on or before January 24, 2020, and to file another Joint Status Report on or before
3 January 31, 2020. CrossFit **MAY FILE** a motion for default judgment concerning the
4 damages to which it is entitled on or before April 13, 2020. Should CrossFit file its default
5 motion, the NSCA **SHALL FILE** its opposition on or before July 13, 2020; CrossFit **MAY**
6 **FILE** its reply, if any, on or before September 11, 2020; and the Court **SETS** a hearing for
7 October 22, 2020 at 1:30 p.m. in Courtroom 4D.

8 In light of the posture of this action, the Court again encourages the Parties to pursue
9 any alternative dispute resolution options they feel may prove fruitful. Should the Parties
10 wish to pursue mediation before any of the Magistrate Judges in this District, the Court
11 will facilitate contact.

12 **IT IS SO ORDERED.**

13
14 Dated: January 16, 2020


Hon. Janis L. Sammartino
United States District Judge